

MATTHEW LEVITT DEPOSITION September 25, 2013

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<p style="text-align: right;">Page 239</p> <p>1 Q. Okay. Do you know why Ms. Weiser was</p> <p>2 e-mailing you on the 23rd indicating that she</p> <p>3 needed to include a statement of the compensation</p> <p>4 to be paid for your report and testimony in the</p> <p>5 case?</p> <p>6 A. I don't remember the details. It's</p> <p>7 possible that I was on travel, I travel a lot, or</p> <p>8 out of the office for some reason and hadn't</p> <p>9 included it in the Scope of Engagement, and</p> <p>10 didn't realize that I was supposed to have, and</p> <p>11 so she might have added that in under the Scope</p> <p>12 of Engagement. Not, obviously, under my Opinions</p> <p>13 or Findings, but in terms of what is legally</p> <p>14 required to be in here.</p> <p>15 Q. Okay. So on the first page of 182,</p> <p>16 the last sentence under Scope of Engagement does</p> <p>17 say, "My hourly rate for providing testimony is</p> <p>18 \$400.00 per hour," right?</p> <p>19 A. Correct.</p> <p>20 Q. And you're now thinking that maybe Ms.</p> <p>21 Weiser wrote that?</p>	<p style="text-align: right;">Page 241</p> <p>1 Q. You mentioned yesterday that you were</p> <p>2 first contacted by someone named Nitsana</p> <p>3 Darshan-Leitner about working on this case,</p> <p>4 right?</p> <p>5 A. Again, I don't remember if I said that</p> <p>6 I was first contacted by her but that I was</p> <p>7 working for her firm. It might have been someone</p> <p>8 else in her firm or her husband who works with</p> <p>9 her. But, yes, I think it was their firm.</p> <p>10 Q. For the record, what is her husband's</p> <p>11 name?</p> <p>12 A. Avraham -- Abraham in English.</p> <p>13 A-V-R-A-H-A-M. He goes by Avi, A-V-I.</p> <p>14 Q. And you mentioned Ms.</p> <p>15 Darshan-Leitner's firm. What is the name of her</p> <p>16 firm?</p> <p>17 A. It's Hebrew, so I'll spell it. Don't</p> <p>18 worry. Shurat, S-H-U-R-A-T, HaDin, capital</p> <p>19 H-A-D-I-N.</p> <p>20 Q. Okay. And does Rachel Weiser also</p> <p>21 work for Shurat HaDin?</p>
<p style="text-align: right;">Page 240</p> <p>1 A. It's possible she added that in.</p> <p>2 Q. Do you know if any other changes were</p> <p>3 made to your report after you signed it on March</p> <p>4 22nd, 2013?</p> <p>5 A. Not to my knowledge, no.</p> <p>6 Q. Have you retained a copy of your</p> <p>7 report before it was modified by Ms. Weiser?</p> <p>8 A. I don't know.</p> <p>9 Q. All right. Have you sent a bill for</p> <p>10 your work on this case?</p> <p>11 A. If I recall, I sent one bill for, I</p> <p>12 think it was the 5,000, and there is a pending</p> <p>13 invoice that will go out when we're done with</p> <p>14 this deposition. I understand part of that goes</p> <p>15 to you and part of that goes to them.</p> <p>16 Q. Have you been paid anything for your</p> <p>17 work on this case?</p> <p>18 A. I'm pretty sure I've been paid the</p> <p>19 5,000, yes.</p> <p>20 Q. Was that a check or a wire?</p> <p>21 A. It would have been a wire.</p>	<p style="text-align: right;">Page 242</p> <p>1 A. Yes.</p> <p>2 Q. In fact, what we've marked as Exhibit</p> <p>3 Number 191, it says at the top, "Work/Shurat</p> <p>4 HaDin," correct?</p> <p>5 A. That's right.</p> <p>6 Q. And you've done work for Shurat HaDin</p> <p>7 on other matters, right?</p> <p>8 A. I have.</p> <p>9 Q. Are you familiar with a term called</p> <p>10 lawfare, L-A-W-F-A-R-E, all one word?</p> <p>11 A. I am.</p> <p>12 Q. What does that mean?</p> <p>13 A. It's an idea that people try and</p> <p>14 stymie -- either debated an issue or intimidate</p> <p>15 someone from investigating an issue by drowning</p> <p>16 them in frivolous lawsuits.</p> <p>17 Q. And are you aware whether Shurat HaDin</p> <p>18 engages in lawfare?</p> <p>19 MR. HORTON: Object to the form.</p> <p>20 A. Not to my knowledge, they do not.</p> <p>21 Q. Have you ever visited Shurat HaDin's</p>

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<p>1 website?</p> <p>2 A. I don't think I have.</p> <p>3 MR. HILL: Let's mark this as the next</p> <p>4 exhibit, please.</p> <p>5 (Defendant's Deposition Exhibit Number</p> <p>6 192 was marked for identification.)</p> <p>7 BY MR. HILL:</p> <p>8 Q. We've handed you what's been marked as</p> <p>9 Exhibit Number 192, which you'll see at the top</p> <p>10 left has the words, "Shurat HaDin, Israel Law</p> <p>11 Center." Do you see that, sir?</p> <p>12 A. I do.</p> <p>13 Q. And you'll see that the first word in</p> <p>14 the center column there is, "Lawfare: Fighting</p> <p>15 Back." Do you see that, sir?</p> <p>16 A. Yes.</p> <p>17 Q. It says, "While anti-Jewish and</p> <p>18 anti-Israeli individuals and organizations around</p> <p>19 the world seek to harm Israel and its people</p> <p>20 using warfare, terrorism, and other illegal or</p> <p>21 deceitful tactics, Shurat HaDin believes in using</p>	<p>1 American citizens and their successful \$338</p> <p>2 million lawsuit against the Government of Syria."</p> <p>3 Do you see that?</p> <p>4 A. I do.</p> <p>5 Q. You were involved in that case, right?</p> <p>6 A. I testified in that case, yes.</p> <p>7 Q. Were you involved in the lawsuit</p> <p>8 against former President Carter?</p> <p>9 A. No.</p> <p>10 Q. Were you involved in the lawsuit that</p> <p>11 Shurat HaDin brought against the United States</p> <p>12 State Department?</p> <p>13 A. No.</p> <p>14 Q. How many cases have you been involved</p> <p>15 in with Shurat HaDin, to the best of your</p> <p>16 knowledge?</p> <p>17 A. I think this is the third.</p> <p>18 Q. In fact, sir, you have worked with</p> <p>19 Shurat HaDin on a total of five other cases</p> <p>20 against the PA and the PLO, right?</p> <p>21 A. I don't think that's true, though it's</p>
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<p>1 existing laws to obtain its objectives." Do you</p> <p>2 see that, sir?</p> <p>3 A. I do.</p> <p>4 Q. The next paragraph says, "Thus, we</p> <p>5 have been involved in court actions ranging from</p> <p>6 a lawsuit against Jimmy Carter for</p> <p>7 misrepresentation, to forcing the trial of Hamas</p> <p>8 terrorists as war criminals. We also engage the</p> <p>9 media and public at large to clarify important</p> <p>10 issues, like designating the Gaza flotilla a</p> <p>11 violation of U.S. law under the U.S. Neutrality</p> <p>12 Act, and notifying maritime insurance carriers</p> <p>13 about the illegality of providing insurance to</p> <p>14 future flotilla vessels." Do you see that?</p> <p>15 A. I do.</p> <p>16 Q. Then they list some of their cases,</p> <p>17 and there are what appear to be links to</p> <p>18 different news reports, right?</p> <p>19 A. Yes.</p> <p>20 Q. The first one mentions, "A Tel-Aviv</p> <p>21 based law center has represented two families of</p>	<p>1 possible that sometimes law firms partner with</p> <p>2 each other, so some of these cases may be cases</p> <p>3 that in my mind I've worked with another law</p> <p>4 firm, but maybe Shurat HaDin has been involved as</p> <p>5 well.</p> <p>6 Q. Let me just ask you about each of them</p> <p>7 for the record.</p> <p>8 A. Sure.</p> <p>9 Q. Were you working with Shurat HaDin for</p> <p>10 the work you did in the Parsons case?</p> <p>11 A. No.</p> <p>12 Q. What firm were you working with on</p> <p>13 that case?</p> <p>14 A. Perles, P-E-R-L-E-S. Steven Perles.</p> <p>15 Q. Were you working with the Shurat HaDin</p> <p>16 law firm in the Shatsky case?</p> <p>17 A. I don't think so. I think -- I don't</p> <p>18 remember which firm it was, but it was not Shurat</p> <p>19 HaDin. I only started working with them fairly</p> <p>20 recently. If you have a list of any of the other</p> <p>21 law firms that were involved in that case, I can</p>